

### AMENDMENTS TO THE CLAIMS

1. (previously presented) A pigmentable binder composition for use in synthetic asphalt, said composition comprising a petroleum resin, a lubricating oil and/or a lubricating oil extract, and in the range of from 0.05 to less than 3 % wt based on total composition of an amide additive of general formula:



wherein  $R^1$  and  $R^2$  each independently represent alkyl groups having in the range of from 10 to 60 carbon atoms, and  $x$  is an integer in the range of from 1 to 4.

2. (previously presented) The pigmentable binder composition of claim 1 further comprising a polymer.

3. (previously presented) The pigmentable binder composition of claim 1 wherein the resin is an acidic resin, having an acid value in the range of from 0.5 to 200 mg KOH/g.

4. (previously presented) The pigmentable binder composition of claim 1 wherein the resin is a modified petroleum resin comprising carboxylic acid, carboxylic acid anhydride or hydroxyl groups.

5. (previously presented) The pigmentable binder composition of claim 4 wherein the resin is a modified petroleum resin obtainable by treating a petroleum resin with maleic anhydride.

6. (currently amended) The pigmentable binder composition of claim 1 wherein the lubricating oil and/or lubricating oil extract is a ~~Bright-Stock-extract~~ lubricating oil extract obtained by solvent extraction of a deasphalted oil.

7. (currently amended) The pigmentable binder composition of claim 1 [[,]] wherein the amide additive of general formula (I) is an ethylene bis-stearamide.

8. (previously presented) The pigmentable binder composition of claim 1 wherein the petroleum resin is present in an amount of 1 to 70 % wt; the lubricating oil and/or the lubricating oil extract is present in an amount of 20 to 97 % wt ; the amide additive of general formula (I) is present in an amount of 0.1 to less than 3 % wt; and optionally a polymer is present in the range of from 1 to 15 % wt, all weights based on total composition.

9. (previously presented) A synthetic asphalt comprising a mixture of aggregate and the pigmentable binder of claim 1.

10. (previously presented) A synthetic mastic asphalt comprising the pigmentable binder composition of claim 1.

11. (previously presented) The pigmentable binder composition of claim 2 wherein the resin is an acidic resin, having an acid value in the range of from 0.5 to 200 mg KOH/g.

12. (previously presented) The pigmentable binder composition of claim 2 wherein the resin is a modified petroleum resin comprising carboxylic acid, carboxylic acid anhydride or hydroxyl groups.

13. (previously presented) The pigmentable binder composition of claim 12 wherein the resin is a modified petroleum resin obtainable by treating a petroleum resin with maleic anhydride.

14. (currently amended) The pigmentable binder composition of claim 2 wherein the lubricating oil and/or lubricating oil extract is a ~~Bright-Stock extract~~ lubricating oil extract obtained by solvent extraction of a deasphalted oil.

15. (currently amended) The pigmentable binder composition of claim 11 wherein the lubricating oil and/or lubricating oil extract is a ~~Bright-Stock extract~~ lubricating oil extract obtained by solvent extraction of a deasphalted oil.

16. (previously presented) The pigmentable binder composition of claim 2 wherein the amide additive of general formula (I) is an ethylene bis-stearamide.

17. (previously presented) The pigmentable binder composition of claim 11 wherein the amide additive of general formula (I) is an ethylene bis-stearamide.

18. (previously presented) The pigmentable binder composition of claim 12 wherein the amide additive of general formula (I) is an ethylene bis-stearamide.

19. (previously presented) The pigmentable binder composition of claim 14 wherein the amide additive of general formula (I) is an ethylene bis-stearamide.

20 (currently amended) The pigmentable binder composition of claim 2 wherein the petroleum resin is present in an amount of 1 to 70 % wt, the lubricating oil and/or the lubricating oil extract is present in an amount of 20 to 97 % wt, the amide additive of general formula (I) is present in an amount of 0.1 to less than 3 % wt, and the polymer is present in the range of from 1 to 15 % wt, all % weights based on total composition.

21. (previously presented) A synthetic asphalt comprising a mixture of aggregate and the pigmentable binder of claim 2.

22. (previously presented) A synthetic mastic asphalt comprising the pigmentable binder composition of claim 2.